

S U M M A R Y A C T I O N M I N U T E S



REGULAR MEETING OF THE BOARD OF SUPERVISORS ORANGE COUNTY, CALIFORNIA

Tuesday, November 2, 1999, 9:30 A.M.

BOARD HEARING ROOM, FIRST FLOOR
10 Civic Center Plaza
Santa Ana, California

CHARLES V. SMITH
CHAIRMAN
First District

THOMAS W. WILSON
VICE CHAIRMAN
Fifth District

TODD SPITZER
SUPERVISOR
Third District

JAMES W. SILVA
SUPERVISOR
Second District

CYNTHIA P. COAD
SUPERVISOR
Fourth District

ATTENDANCE: All members present

EXCUSED: None

PRESENT: COUNTY EXECUTIVE OFFICER Janice M. Mittermeier
COUNTY COUNSEL Laurence M. Watson
CLERK OF THE BOARD Darlene J. Bloom

INVOCATION: Supervisor Coad, Fourth District, gave the invocation

PLEDGE OF ALLEGIANCE: Supervisor Spitzer, Third District, led the assembly in the Pledge of Allegiance

I. PRESENTATIONS/INTRODUCTIONS

Supervisor Wilson presented a resolution recognizing Ms. Bonita Baranyai

II. CONSENT CALENDAR (Items 1-43)

35241 **APPROVED AS RECOMMENDED WITH THE EXCEPTION OF ITEMS 8, 24 AND 41 WHICH WERE DELETED; ITEM 23 WHICH WAS CONTINUED TO 11/23/99, 9:30 A.M. AND ITEM 35 WHICH WAS CONTINUED TO 11/09/99, 9:30 A.M.; ITEMS 16, 34, AND 36 WHICH WERE PULLED FOR DISCUSSION AND SEPARATE VOTE AND ITEMS 38, 39, 40 AND 42 WHICH RECEIVED A NO VOTE FROM SUPERVISOR SILVA**

BOARD APPOINTMENTS

1. **Supervisor Spitzer** - Public Services Access Advisory Committee - Appoint Scott Voights, Lake Forest, to complete term ending 7/1/02

S U M M A R Y A C T I O N M I N U T E S

COMMENDATIONS/PROCLAMATIONS

Chairman Smith:

2. Adopt resolution proclaiming November, 1999 as "National Adoption Awareness Month"
R99-435
3. Adopt resolution proclaiming November, 1999 as "Grand Jury Awareness Month"
R99-436
4. Adopt resolution congratulating and commending all the participants from Los Amigos of
Orange County, the University of California, Irvine and community members on Project 150
Sesquicentennial Symposium
R99-437
5. **Supervisor Spitzer** - Adopt resolution commending Captain Tom P. Christian for thirty-one years of
dedicated service to the citizens of the City of Brea
R99-438
6. **Supervisor Coad** - Adopt resolution commending Linda Edelman for nearly 28 years of service and
dedication to Social Services Agency
R99-439
7. **Supervisor Wilson** - Adopt resolution commending Greg Currens for his service as 1999 President of
the Building Industry Association of Southern California, Orange County Chapter
R99-440

COMMUNITY SERVICES AGENCY

8. Approve agreement with Council on Aging of Orange County, Inc. for the Linkages Program to provide
case management services and administration of respite services activities (\$164,958) - All Districts

35241 **DELETED FROM AGENDA**

HEALTH CARE AGENCY

9. Adopt resolution approving agreement 6051-9 with Governor's Office of Emergency Services for Y2K
Hazardous Materials Readiness Project, 8/2/99 - 3/31/00 (\$73,312) - All Districts
R99-441
10. Adopt resolution approving agreement 98-16004 with State Department of Health Services for Ocean
Recreational Water Protection Program, 4/1/99 - 6/30/00 (\$89,187) - All Districts
R99-442
11. Approve agreements with A.S. Foundation (\$48,000), Delhi Center (\$66,667) and The Gay and Lesbian
Community Services Center of Orange County (\$153,374) for provision of HIV Prevention services,
11/1/99 - 6/30/00 - All Districts

INTEGRATED WASTE MANAGEMENT DEPARTMENT

S U M M A R Y A C T I O N M I N U T E S

12. Approve price agreements N1000002230 with SFM Constructors, Inc., N1000002231 with Carmody Construction Company and N1000002232 with Construction-Cabinets & Restoration for maintenance and repair services for various facilities, 11/15/99 - 11/14/00 (\$126,000 inclusive per year); renewable for two additional years - All Districts

JOHN WAYNE AIRPORT

13. Approve agreement with WLC Architects for architectural-engineering services for replacement of Fire Station No. 33 (\$286,027) - District 5

PLANNING AND DEVELOPMENT SERVICES

14. Adopt resolution determining that the proposed Wilson Annexation (CA99-05) to the City of Fountain Valley is subject to Master Property Tax Transfer agreement - District 1 R99-443
15. Approve assignment and assumption agreement with Turner Serrano Center, LLC, Serrano Jack, LLC and City of Lake Forest related to acquisition of property from Turner Serrano Center, LLC, Los Alisos Citrus Ranch; authorize Director or designee to sign escrow instructions - District 3
16. Approve Tract 15823, Shea Homes Limited Partnership, Aliso Viejo area; accept dedication for street purposes and vehicular access rights; accept easements for pedestrian, aircraft operations, sound, air space, aviation, traffic signal, construction and maintenance; approve construction agreement S999-2653 and accept bonds guaranteeing construction of improvements and agreement D99-097 and accept bonds guaranteeing construction of traffic signal - District 5
- 53241 **APPROVED AS RECOMMENDED**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

17. Receive and file Traffic Committee Reports dated 9/16/99; approve recommendations and adopt necessary resolution - Districts 1, 4 & 5 R99-444
18. Adopt resolution certifying completion of street improvements, street lights, sewer and water systems and monumentation; authorizing release of bonds and accepting public street improvements, Tract 14145, Fieldstone Trabuco Partners, Rancho Santa Margarita area - District 3 R99-445
19. Adopt resolution certifying completion of street improvements, street lights, sewer and water systems, landscaping and monumentation; authorizing release of bonds and accepting public street improvements, Tract 14143, Fieldstone Trabuco Partners, Rancho Santa Margarita area - District 3 R99-446
20. Certify completion of private street improvements, street lights and monumentation; and authorize release of bonds, Tract 14988, The Irvine Company, Northwood Point Community area - District 3
21. Accept work and approve notice of completion, Transtech Engineers, Inc. for construction of traffic signal and highway lighting system at Ball Road and Perdido Street, Anaheim; project completed 8/20/99 (\$164,500) - District 4
22. Approve agreement with Wayne C. Siu Architects for architectural-engineering services for renovation of Los Pinos Conservation Camp (\$61,535) - District 5

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23. Approve agreement with the Navy, California State Historic Preservation Officer and Advisory Council on Historic Preservation as an invited signatory for improvements and preservation of Historic Blimp Hangar, MCAS Tustin -District 5 (Continued from 9/14/99, Item 28; 9/21/99, Item 9; 10/05/99, Item 17; 10/19/99, Item 14)

35241 **CONTINUED TO 11/23/99, 9:30 A.M.**

24. Adopt resolution approving intent to grant natural gas pipeline franchise to Questar Southern Trails Pipeline Company for road rights-of-way, unincorporated areas on the westerly and easterly boundaries of City of Anaheim; and set public hearing for 12/7/99, 9:30 a.m. - District 4

35241 **DELETED FROM AGENDA**

25. Approve agreement D99-051 with AKM Consulting Engineers for Irvine and O'Neill Regional Parks sewer conversion (\$484,593); and approve related budget adjustments - Districts 3 & 5

26. **Acting as the Board of Supervisors** - Adopt resolution certifying completion of flood control channel (F19) improvements, authorizing release of bonds, Baker Ranch Area II Associates, Tract 13932, Lake Forest; **Acting as the Orange County Flood Control District** - Approve acceptance of easement deed from BA Properties, Inc.; authorize Chairman to execute easement deed under certain conditions and make California Environmental Quality Act findings - District 3 R99-448

Acting as the Orange County Flood Control District:

27. Approve agreement D99-092 with Bing Yen and Associates for architectural-engineering services to provide geotechnical services for Segunda Deshecha Canada Channel improvements, San Clemente (\$115,210) - District 5
28. Approve amended agreement D97-138 with Steinberg & Associates for technical assistance and support for matters relating to Santa Ana River Mainstem Project - All Districts
29. Approve joint funding agreement with United States Geological Survey for operation and maintenance of streamgaging station, Trabuco Creek 10/1/99 - 10/31/00; authorize payment for services, 10/1/98 - 9/30/99 (\$7,300); and authorize Director, Public Facilities and Resources Dept. to execute subsequent annual agreements - District 5

SOCIAL SERVICES AGENCY

30. **Acting as the Orange County Flood Control District and the Board of Supervisors** - Adopt resolutions approving agreement with Orange County Flood Control District for lease of land located in the Santa Ana River Right-of-Way for Child and Family Services Program long term parking, Orange; and make California Environmental Quality Act and other findings - District 4 R99-449 – 450

PUBLIC PROTECTION

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31. **District Attorney** - Approve lease agreement with HWY 39, Inc. for expansion of office space in building contiguous to West Justice Center, Westminster; and authorize District Attorney to execute agreement - All Districts

Sheriff-Coroner:

32. Approve agreement with San Juan Company for security and fire protection services for Mobile Radio Station, Rancho Mission Viejo - District 5
33. Approve and authorize Gang Incident Tracking System Grant Disbursement to the Drug Use is Life Abuse/Project: No Gangs activities (\$75,000 maximum) - All Districts

GENERAL ADMINISTRATION

County Executive Office:

34. Approve amendment F to agreement with CABACO Inc. to revise positions, hourly rates and reimbursables for Community Services Program Interim Lease, Cooperative Agreement and Base Asset Management Team - All Districts
- 54231 **APPROVED AS RECOMMENDED**
35. Authorize release of request for proposal for the operation of the Data Center and Telecommunications Network - All Districts (Continued from 10/19/99, Item 30)
- 35241 **CONTINUED TO 11/9/99, 9:30 A.M.**
36. Approve amendment to agreement with Thomas Wall for professional services relating to the El Toro Master Development Program Speakers Bureau, extending term to 6/30/00 (\$34,000; new total \$70,000) - All Districts
- 24351 **APPROVED AS RECOMMENDED**
NN
37. Concur with Presiding Judges of Superior and Juvenile Courts in appointing and approving salary of John B. Robinson, acting County Probation Officer, 11/1/99-10/31/00 (\$122,907.20) - All Districts

Chairman Smith:

38. Approve Community Social Program Grant funds to Santa Ana Pop Warner Association; approve budget adjustments and make appropriate findings, 10/26/99 - 6/30/00 (\$1,000)
- 35241 **APPROVED AS RECOMMENDED**
N
39. Approve Community Social Program Grant funds to Project S.H.U.E.; approve budget adjustments and make appropriate findings, 10/26/99 - 6/30/00 (\$5,000)
- 35241 **APPROVED AS RECOMMENDED**
N
40. Approve Community Social Program Grant funds to Community Day Nursery; approve budget

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adjustments and make appropriate findings, 10/26/99 - 6/30/00 (\$5,000)

35241
N **APPROVED AS RECOMMENDED**

41. **Supervisor Spitzer** - Adopt resolution urging cellular service providers to upgrade service along the toll roads

35241 **DELETED FROM AGENDA**

42. **Supervisor Wilson** - Approve Community Social Program Grant funds to Child Abuse Services Team; approve budget adjustments and make appropriate findings, 11/2/99 - 6/30/00 (\$10,000)

35241
N **APPROVED AS RECOMMENDED**

43. **Clerk of the Board** - Approve the proposed Conflict of Interest Code for Orange County Children and Families Commission - All Districts

END OF CONSENT CALENDAR

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III. DISCUSSION ITEMS (Items 44-S55A)

COMMUNITY SERVICES AGENCY

- 44 . Approve agreement with City of Inglewood to serve dislocated workers from aerospace and defense-related industries utilizing Job Training Partnership Act funds, 7/1/99 - 6/30/00 (\$1,000,268) - All Districts
- 42351 **APPROVED AS RECOMMENDED**

INTEGRATED WASTE MANAGEMENT DEPARTMENT

- 45 . Approve change order 2 to agreement with Earth Tech, Inc. for architectural-engineering design and bid document preparation services, Olinda Alpha Landfill (\$89,740; new total \$1,597,797) - District 3
- 34251 **APPROVED AS RECOMMENDED**

PUBLIC FACILITIES AND RESOURCES DEPARTMENT

- 46 . **Acting as the Orange County Flood Control District** - Approve amended agreement D98-103 with Moffatt & Nichol Engineers for design and preparation of plans, specifications and cost estimate for construction of Rossmoor Pump Station (Facility No. C01PS2) (\$75,000; new total \$803,967) - District 2
- 24351 **APPROVED AS RECOMMENDED**

GENERAL ADMINISTRATION

County Executive Office:

- 47 . Receive and approve Orange County Visitor Marketing Consortium 1998-99 Annual Report and 1999-00 Year Two Work Plan; approve amendment to agreement with Anaheim/Orange County Visitor & Convention Bureau for allocation of funds (\$831,300); authorize reimbursement to the Orange County Business Council for Film Commission/Tourism transitional costs subject to County Executive Office approval of the invoice (\$18,700) - All Districts
- 42351 **APPROVED AS RECOMMENDED**
- 48 . County Executive Office, on behalf of the Fifth District and Orange County Superior Court requests policy direction regarding the request for proposal for design of a new South Justice Center Facility - District 5 (Continued from 10/05/99, Item 51; 10/19/99, Item 51)
- B.O. **CONTINUED TO 12/14/99, 9:30 A.M.**
- 49 . Approve adoption of salary and terms and conditions of employment for certain represented employees, Association of Orange County Deputy Sheriffs - All Districts
- 43251 **APPROVED AS RECOMMENDED** R99-465

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- 50 . Approve Variable Rate Demand Apartment Development Revenue Bonds, Issue J of 1984 and Issues D, T and Y of 1985 refunding in concept (\$93,600,000) and selection of financing team - District 5
53241 **APPROVED AS RECOMMENDED**
- 51 . Approve FY 1999-00 First Quarter Budget Report, approve budget adjustments, amend master position control, and adopt resolution revising the County photocopy fee and make California Environmental Quality Act and other findings - All Districts (4/5 vote)
53241 **APPROVED AS RECOMMENDED** R99-452
- 52 . Receive report and approve amended Joint Powers Agreement for the Orange County Fire Authority; provide policy direction for the County Executive Office to work with the Orange County Fire Authority on a proposed cooperative agreement addressing annexation/incorporation and financial issues related to the Structural Fire fund and return to the Board for approval of agreement - All Districts
23451 **APPROVED AS RECOMMENDED**
- 53 . Approve professional service agreement with Preston Gates Ellis & Rouvelas Meeds, LLP for Washington, D.C. advocacy relating to MCAS El Toro - All Districts
42351 **APPROVED AS RECOMMENDED**
NN

S U M M A R Y A C T I O N M I N U T E S

54. **Registration/Elections** - Consider options for March 7, 2000 ballot initiative, "An Initiative Which Would Require That Two-Thirds of the Voters in a County General Election Ratify Any County Action to Approve Any New or Expanded Jail, Hazardous Waste Landfill or Civilian Airport Project" - All Districts
- 12345 **(1) IN ACCORDANCE WITH CALIFORNIA ELECTIONS CODE SECTION 9111, DIRECTED COUNTY EXECUTIVE OFFICER TO PREPARE A REPORT ON THE SAFE AND HEALTHY COMMUNITIES INITIATIVE WHICH INCLUDES, BUT IS NOT LIMITED TO, THE FOLLOWING: a) ITS FISCAL IMPACT; ITS EFFECT ON THE COUNTY'S GENERAL PLAN (INCLUDING THE PROVISIONS OF MEASURE A) AND SPECIFIC PLANS; c) ITS EFFECT ON THE COUNTY'S PLANNING, CONSTRUCTION, AND OPERATION OF HAZARDOUS WASTE FACILITIES, JAIL FACILITIES, AND COMMERCIAL AVIATION FACILITIES, INCLUDING JOHN WAYNE AIRPORT AND THE PROPOSED AIRPORT AT MCAS EL TORO; AND d) ANY OTHER RELEVANT LEGAL ISSUES RELATING TO THE VALIDITY AND IMPLEMENTATION OF THE INITIATIVE. (2) DIRECTED COUNTY EXECUTIVE OFFICER TO COORDINATE PREPARATION OF THE REPORT WITH THE FOLLOWING: AUDITOR-CONTROLLER, COUNTY COUNSEL, INTEGRATED WASTE MANAGEMENT DEPARTMENT, JOHN WAYNE AIRPORT, PLANNING & DEVELOPMENT SERVICES, PROBATION DEPARTMENT AND SHERIFF-CORONER. (3) DIRECTED COUNTY EXECUTIVE OFFICER TO FILE THE REPORT FOR CONSIDERATION BY THE BOARD OF SUPERVISORS AT ITS MEETING OF NOVEMBER 23, 1999. (4) IN ACCORDANCE WITH CALIFORNIA ELECTIONS CODE SECTION 9160, DIRECTED AUDITOR-CONTROLLER OFFICER TO REVIEW THE SAFE AND HEALTHY COMMUNITIES INITIATIVE AND PREPARE A FISCAL IMPACT STATEMENT WHICH ADDRESSES "WHETHER THE SUBSTANCE THEREOF, IF ADOPTED, WOULD AFFECT THE REVENUES OR EXPENDITURES OF THE COUNTY." (5) DIRECTED AUDITOR-CONTROLLER TO SUBMIT HIS FISCAL IMPACT STATEMENT TO THE BOARD OF SUPERVISORS AND THE REGISTRAR OF VOTERS NO LATER THAN DECEMBER 10, 1999.**

ORANGE COUNTY CHILDREN AND FAMILIES FIRST COMMISSION

55. At this time Members of the Board of Supervisors and/or the County Executive Office may report on and discuss activities related to the Orange County Children and Families First Commission
- B.O. **PRESENTED**
- S55A. **Chairman Smith** - Consider the following measures for placement on the March 7, 2000 Presidential Primary Ballot: "Orange County Board of Supervisors' Approval Procedure for Jail and Hazardous Waste Landfill Proposals", "Majority Vote for Jails and Hazardous Waste Landfill Proposals" and "Advisory Vote - Shall the Orange County Board of Supervisors Transfer Aviation Planning and Airport Implementation Responsibilities to a Joint Powers Authority, a Partnership of Orange County Cities and the County?"
- 14235 **DIRECTED COUNTY EXECUTIVE OFFICER TO PREPARE A REPORT ON THESE INITIATIVES, INCLUDING a) ITS FISCAL IMPACT; b) ITS EFFECT ON THE COUNTY'S GENERAL PLAN (INCLUDING THE PROVISIONS OF MEASURE A) AND SPECIFIC PLANS; c) ITS EFFECT ON THE COUNTY'S PLANNING, CONSTRUCTION, AND OPERATION OF HAZARDOUS WASTE FACILITIES, JAIL FACILITIES, AND COMMERCIAL AVIATION FACILITIES, INCLUDING JOHN WAYNE AIRPORT AND THE PROPOSED AIRPORT AT MCAS EL TORO; AND d) ANY OTHER RELEVANT LEGAL ISSUES RELATING TO THE VALIDITY AND IMPLEMENTATION OF THE INITIATIVE.**
- NN

S U M M A R Y A C T I O N M I N U T E S

IV. PUBLIC HEARINGS (None)

V. CLOSED SESSION (None)

VI. PUBLIC, BOARD & EMAIL COMMENTS & ADJOURNMENT

PUBLIC COMMENTS:

Ana Boyce – Oral Re: Appreciation to Board for Senior Summit

Ana Boyce, Rick Root, Gordon Wilson, Steve Kubby – Oral Re: Implementation of Prop 215 (submitted petition “Petition for the Redress of Grievances” and other documents)

Jean Askham – Oral Re: Invitation to Board to attend November 6, 1999 Workshop on Brown Act

Charles Griffin Oral Re: Air quality as it relates to the MCAS El Toro EIR

BOARD COMMENTS:

Supervisor Spitzer – Oral Re: Advised that Board is periodically refreshed in Brown Act laws by County Counsel

ADJOURNED 12:53 P.M.

*** KEY ***

Left Margin Notes

1. v Chairman Smith
2. v Supervisor Silva
3. v Supervisor Spitzer
4. v Supervisor Coad
5. v Supervisor Wilson

- A. v Abstained
X. v Excused
N. v No
BO v Board Order

Right Margin Notes

- O. v Ordinance
R. v Resolution

Above numbers refer to Supervisorial Districts (1st number = Moved by; 2nd number = Seconded by)

CHARLES V. SMITH, CHAIRMAN
Orange County Board of Supervisors

DARLENE J. BLOOM
Orange County Clerk of the Board